

From: Susan Mazurski June 17, 2010 10:14:35 AM
Subject: Board of Selectmen Minutes 05/26/2010 SPECIAL APPROVED
To: SimsburyCT_SelectMin
Cc:

Minutes of Joint Meeting of Board of Selectmen/Board of Finance
Special Meeting - May 26, 2010 - 8:00 a.m.

First Selectman Mary Glassman convened the joint meeting of the Board of Selectmen/Board of Finance at 8:03 a.m. In attendance were Mary Glassman, Deputy First Selectman John Hampton, Robert Hensley, Lisa Heavner, Tom Herlihy, Moira Wertheimer.

Mrs. Glassman explained the purpose of the special meeting is to review the Heart and Hypertension claim of retired police officer Joseph Jurczak. She said the claim stems from 2001 and has not been previously resolved. The proposed settlement agreement has been recommended by the town's worker's compensation carrier, CIRMA, and the town's labor counsel. Mrs. Glassman said it was recommended as a full and final settlement and the best option recommended to resolve the matter by the town's legal counsel.

Lisa Heavner moved the following motion: Be it hereby resolved that the Board of Selectmen authorizes the First Selectman to enter into a full and final settlement for the purpose of settling outstanding Heart & Hypertension Claim before the State of Connecticut Worker's Compensation Commission with retired Police Officer Joseph Jurczak.

Moira Wertheimer seconded the motion. The board voted to approve 6-0.

Mrs. Glassman then explained that the Board of Selectmen and Board of Finance need to transfer the necessary funds to execute the agreement in this fiscal year.

Tom Herlihy moved the following motion: Be it hereby resolved that the Board of Selectmen recommends a supplemental appropriation to the Board of Finance in the amount of \$225,000 pursuant to Section 909 (c) of the Town Charter to settle an outstanding Heart & Hypertension Claim before the State of Connecticut Worker's Compensation Commission with retired Police Officer Joseph Jurczak.

Lisa Heavner seconded the motion. The board voted to approve 6-0.

Paul Henault, chair of the Board of Finance then called the Board of Finance to order. In attendance were: Paul Henault, Peter Askham, Nick Mason and Anita Mielert. Mr. Henault expressed his opinion that he is glad the heart and hypertension law was changed because it puts towns in a very bad situation and does not require causability. He said it was bad public policy when passed.

Mr. Askham asked whether there should be a reserve of funds for future claims.

Mrs. Glassman explained the difficulty of reserving funds for claims not yet filed.

The board suggested the town explore further: whether the town can settle future claims, how other towns address the issue such as reserving funds and the correlation between the size of the claim and other factors such as the wealth of a community.

Anita Mielert then moved to adopt the following resolution. Be it hereby resolved that the Board of Finance approves a supplemental appropriation to in the amount of \$225,000 pursuant to Section 909 (c) of the Town Charter to settle outstanding Heart &

Hypertension claim before the State of Connecticut Worker's Compensation Commission with retired Police Officer Joseph Jurczak.

Nick Mason seconded the motion. The board voted to approve by 4-0.

Mr. Askham moved to adjourn at 8:15 a.m. Mr. Mason seconded and the vote to adjourn was 4-0.

For the Board of Selectmen, Mr. Hampton moved to adjourn the meeting with Mrs. Wertheimer seconding the motion. The vote was 6-0 to adjourn at 8:17 a.m.

Respectfully submitted,

Mary A. Glassman, First Selectman